

REMARKS

Claims 1-9 and 11-22 remain in this application. Applicant respectfully requests reexamination.

A request for a two-month extension of time is submitted herewith.

Applicant submits herewith under cover letter addressed to the Chief Draftsperson a set of formal drawings which obviate the inadequacies noted in the Notice of Draftsperson's Patent Drawing Review, attachment to Paper No. 6.

Telephonic Interview with Examiner

Applicant would like to thank Examiners Andrew Faile and Son Huynh for their courtesy and professionalism during the telephone interview conducted on May 16, 2003.

Applicant agrees with the substance of the interview submitted by the Examiner in the Interview Summary.

The primary reference discussed was *Travaile et al.* (6,067,107) and the lack of teaching in *Travaile* of accommodating "different broadcasting networks" and that the term meant that each network was utilizing different broadcast protocols. It was specifically pointed out to the Examiner that *Travaile's* broadcast server 110 is only directed to formatting an interactive application 115 for a particular single set of broadcast protocols. A sample broadcast server could not accommodate multiple broadcast protocols.

Although no agreement was reached, it appeared that defining what is meant by different broadcast networks in claims 1 and 9 would be helpful in overcoming the prior art of record.

Response to Non-Final Office Action

Claims 1, 3, 5-7, 9-11 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Travaile et al.* (6,067,107) in view of *Goodman et al.* (6,427,238). Applicant respectfully traverses.

Claims 1 and 9 specifically recite "a plurality of target platforms constituted by different broadcast networks, each broadcast network operating respectively different broadcast protocols."

Travaile discloses that his data insertion unit (DUI) 116 which receives one or more interactive applications inserts these applications into the broadcast medium which may be a standard analog television signal following the National Television Standard Committee standards, in which case, the VBI is used as a transport to broadcast the interactive application. As *Travaile* explains in Column 5, Lines 34-37, "the DUI 116 simultaneously inserts a separate interactive application into multiple channels from the same, or different, broadcasters." In all cases, however, the DUI inserts a separate interactive application into each channel.

The present invention, on the other hand, as set forth in the claims, specifically Claims 1 and 9, the same interactive application is delivered to a plurality of different broadcast networks, each operating a respectively different broadcast protocol. This means that there must be synchronism between the different broadcast networks to avoid any difference in timing between delivery of the same interactive application over the different broadcast networks, all of which are operating at different broadcast protocols.

The *Travaile* system, on the other hand, is not concerned with synchronism since *Travaile* is dealing with delivering separate interactive applications over a single or like multiple broadcast networks (Column 5, Lines 29-37).

In Column 5, Lines 38-67, *Travaile* talks about the various kinds of transport mechanisms that are available to broadcast interactive applications. He mentions mechanisms like out-of-band transmitters, conventional frequency modulation radio transmitters, and MPEG2 digital video multiplex services. Although *Travaile* mentions these different kinds of transport mechanisms, he does not teach, nor does he contemplate a system which would utilize a plurality of different transport mechanisms wherein each mechanism utilizes a different broadcast protocol. *Travaile* only contemplates the use of a single broadcast server 110 for formatting retrieved interactive application data 115. *Travaile* only contemplates use of a single broadcast protocol transport mechanism in his system.

Applicant respectfully requests that this rejection be withdrawn.

Claims 2, 4 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Travaile* and *Goodman* as applied to Claim 1 above and further in view of *Lappington et al.* (5,734,413). Applicant respectfully traverses.

Lappington fails to bring to the combination of *Travaile* and *Goodman* what is lacking there already. *Lappington* does not show or teach the use of a plurality of target platforms that are different broadcast networks, each of which use a different broadcast protocol.

Applicant respectfully requests that this rejection be withdrawn.

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In light of the above amendment and remarks, applicant believes that all the claims in the application are allowable. Applicant respectfully requests allowance of all the claims and the passing of this application to issue.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 11, 2003.

By: Debbie Dean-Cross
[Signature]

Signature

Dated: June 11, 2003

Very truly yours,

SNELL & WILMER L.L.P.

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